

Debtor's Application Pursuant to 11 U.S.C. § 327(e) for Order Authorizing Retention and Employment of Special Counsel, Armstrong Teasdale LLP, Nunc Pro Tunc to Petition Date [Docket No. 120] and (ii) *Plaintiff's Motion for a Preliminary Injunction* [ADV. 20-4030; Docket No. 3].

WITNESSES

1. Drew McManigle, CRO and Manager
2. Matt Martorello, President
3. Justin Martorello
4. Richard L. Scheff
5. Any person in the courtroom.
6. Any witness listed or called by any other party.
7. Any witness necessary to authenticate a document.
8. Any witness necessary to rebut and/or impeach the testimony of a witness called or designated by any other party.

EXHIBITS

<u>No.</u>	<u>Exhibit</u>	<u>Offered</u>	<u>Admitted</u>	<u>Refused</u>
1.	Schedules [Docket No. 75]			
2.	Statement of Financial Affairs [Docket No. 76]			
3.	Claims Register – <i>In re Eventide Credit Acquisitions, LLC</i> , Case No. 20-40349-elm11			
4.	Monthly Operating Report for April 2020 [Docket No. 159]			
5.	Docket – <i>In re Eventide Credit Acquisitions, LLC</i> , Case No. 20-40349-elm11			
6.	Docket – <i>Eventide Credit Acquisitions, LLC v. Galloway et al.</i> , ADV No. 20-04008-elm			

<u>No.</u>	<u>Exhibit</u>	<u>Offered</u>	<u>Admitted</u>	<u>Refused</u>
7.	Docket – <i>Eventide Credit Acquisitions, LLC v. Big Picture Loans, LLC, et al.</i> ADV No. 20-04014-elm			
8.	Docket – <i>Eventide Credit Acquisitions, LLC v. Big Picture Loans, LLC, et al.</i> , ADV No. 20-04030-elm			
9.	Debtor’s Motion for Entry of Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 362, 363, 364, and 507, Bankruptcy Rules 2002, 4001, 6004, and 9014, (i) Authorizing the Debtor-in-Possession to Obtain Postpetition Financing, (ii) Granting Liens and Providing Administrative Expense Status, and (iii) Granting Related Relief [Docket No. 153]			
10.	First Interim Application of Cole Schotz P.C., as Counsel to the Official Committee of Unsecured Creditors, for Allowance of Compensation and Reimbursement of Expenses for Services Rendered During the Period from February 7, 2020 through April 30, 2020 [Docket No. 158]			
11.	Secured Promissory Note, dated January 26, 2016			
12.	Loan and Security Agreement, executed on October 7, 2015			
13.	Parental Guarantee and Sovereign Immunity Waiver, effective as of October 7, 2015			
14.	Agreement and Plan of Merger, executed on September 14, 2015			
15.	Rosette Opinion Letter			
16.	Email from Toby Gerber to Barney Givens dated February 25, 2020			
17.	Committee’s Demand to Pursue Avoidance Actions dated May 11, 2020			

<u>No.</u>	<u>Exhibit</u>	<u>Offered</u>	<u>Admitted</u>	<u>Refused</u>
18.	Motion for Consolidation and Memorandum in Support in the following cases: <i>Lula Williams, et al., v. Big Picture Loans, LLC, et al.</i> , Civil Action No. 3:17cv461 (ECF No. 660, 661); <i>Renee Galloway, et al. v. Big Picture Loans, LLC, et al.</i> , Civil Action No. 3:18cv406 (ECF No. 361, 362) and <i>Renee Galloway, et al. v. Justin Martorello, et al.</i> , Civil Action No. 3:19cv314 (ECF No. 313, 314) in the U.S. District Court of the Eastern District of VA, Richmond Division			
19.	Plaintiffs' Opposition to Defendants' Motion for Consolidation in the U.S. District Court of the Eastern District of VA, Richmond Division			
20.	Order Denying Motion for Consolidation and Memorandum Opinion by Judge Robert E. Payne in the following cases: <i>Lula Williams, et al., v. Big Picture Loans, LLC, et al.</i> , Civil Action No. 3:17cv461 (ECF No. 711, 710); <i>Renee Galloway, et al. v. Big Picture Loans, LLC, et al.</i> , Civil Action No. 3:18cv406 (ECF No. 374, 373) and <i>Renee Galloway, et al. v. Justin Martorello, et al.</i> , Civil Action No. 3:19cv314 (ECF No. 331, 330) in the U.S. District Court of the Eastern District of VA, Richmond Division			
21.	Summary of Pending Actions			
22.	Eventide Credit Acquisitions, LLC Operating Agreement			
23.	<i>Williams v. Big Picture Loans, LLC</i> , 929 F.3d 170 (4th Cir. 2019)			
24.	Deposition of Lula Williams dated October 4, 2018			
25.	Deposition of Gloria Turnage dated October 4, 2018			
26.	Notice of Deposition of Lula Williams			
27.	Notice of Deposition of Gloria Turnage			
28.	Schedule of Note Payments and Distributions			
29.	Sample Debtor's Objection to Claim No. ____ filed by [Consumer Borrower]			

<u>No.</u>	<u>Exhibit</u>	<u>Offered</u>	<u>Admitted</u>	<u>Refused</u>
30.	Sample Objection of Matt Martorello to [Consumer Borrower's] Proof of Claim			
31.	Proposed Scheduling Order for Claim Objections			
<i>Williams et al. v. Big Picture Loans, LLC et al., No. 3:17-cv-461 (E.D. Va.) (“<u>Williams I</u>”)</i>				
32.	Class Action Complaint [Docket No. 1]			
33.	Matt Martorello's Answer and Affirmative Defenses to Plaintiffs' Complaint [Docket No. 35]			
<i>Galloway et al. v. Big Picture Loans, LLC et al., 3:18-cv-406 (E.D. Va.) (“<u>Galloway I</u>”)</i>				
34.	Class Action Complaint (Amended) [Docket No. 30]			
35.	Matt Martorello's Answer and Affirmative Defenses to Plaintiffs' First Amended Class Action Complaint [Docket No. 62]			
<i>Smith et al. v. Martorello et al., 3:18-cv-01651-AC (D. Oreg.) (“<u>Smith</u>”)</i>				
36.	First Amended Class Action Allegation Complaint [Docket No. 100]			
37.	Defendant Matt Martorello's Motion to Dismiss Plaintiff's First Amended Complaint [Docket No. 106]			
<i>Duggan et al. v. Martorello et al., No. 1:18-cv-12277-jgd (D. Mass.) (“<u>Duggan</u>”)</i>				
38.	Second Amended Class Action Complaint [Docket No. 118]			
39.	Matt Martorello's Motion to Dismiss Plaintiff's Second Amended Class Action Complaint [Docket No. 124]			
40.	Memorandum in Support of Matt Martorello's Motion to Dismiss Plaintiff's Second Amended Class Action Complaint [Docket No. 125]			
<i>Williams et al. v. Microbilt et al., No. 3:19-cv-85 (E.D. Va.) (“<u>Williams II</u>”)</i>				
41.	Complaint [Docket No. 1]			
42.	Matt Martorello's Answer and Affirmative Defenses to Plaintiffs' Complaint [Docket No. 64]			

<u>No.</u>	<u>Exhibit</u>	<u>Offered</u>	<u>Admitted</u>	<u>Refused</u>
<i>Galloway et al. v. Martorello et al., 3:19-cv-00314-rep (E.D. Va.) (“<u>Galloway II</u>”)</i>				
43.	Class Action Complaint [Docket No. 1]			
44.	Eventide Credit Acquisitions, LLC, Gallant Capital, LLC and Liont, LLC’s Memorandum in Support of Motion to Dismiss Plaintiffs’ Complaint Pursuant to Fed. R. Civ. P. 12(b)(2), (6) and (7) [Docket No. 99]			
45.	Eventide Credit Acquisitions LLC’s Answer and Affirmative Defenses to Plaintiffs’ Complaint [Docket No. 108]			
46.	Gallant Capital LLC’s Answer and Affirmative Defenses to Plaintiffs’ Complaint [Docket No. 109]			
47.	Liont LLC’s Answer and Affirmative Defenses to Plaintiffs’ Complaint [Docket No. 110]			
<i>Galloway et al. v. Williams et al., 3:19-cv-470 (E.D. Va.) (“<u>Galloway III</u>”)</i>				
48.	Class Action Settlement Agreement and Release [Docket No. 18]			
49.	Memorandum in Support of Eventide Credit Acquisitions, LLC’s Motion to Intervene Pursuant to Fed. R. Civ. P. 24(a) [Docket No. 43]			
50.	Preliminary Approval Order [Docket No. 65]			
ADDITIONAL EXHIBITS				
51.	Williams & Galloway Plaintiffs’ Motion to Withdraw their Motion to Transfer of Actions to the Eastern District of Virginia and for Consolidation Pursuant to 28 U.S.C. § 1407			
52.	Order Denying Plaintiffs’ Motion for Leave to File an Amended Complaint			
53.	Appointment of the Official Unsecured Creditors’ Committee [Docket No. 14]			

<u>No.</u>	<u>Exhibit</u>	<u>Offered</u>	<u>Admitted</u>	<u>Refused</u>
54.	Debtor's Application Pursuant to 11 U.S.C. § 327(e) for Order Authorizing Retention and Employment of Special Counsel, Armstrong Teasdale LLP, Nunc Pro Tunc to Petition Date including Declaration of Richard L. Scheff and Disclosure Under Bankruptcy Rule 2014 [Docket No. 120]			
	Impeachment exhibits			
	Any exhibit designated or offered by any other party			

The Debtor reserves the right to amend or supplement this Witness and Exhibit List and to use any witnesses or exhibits designated or called by any other party.

DATED: June 8, 2020.

Respectfully submitted,

/s/ Jeff P. Prostok

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served upon all parties receiving electronic notice via the Court's CM/ECF system and via email to the parties listed below on June 8, 2020 including all exhibits.

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/s/ Jeff P. Prostok
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